



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

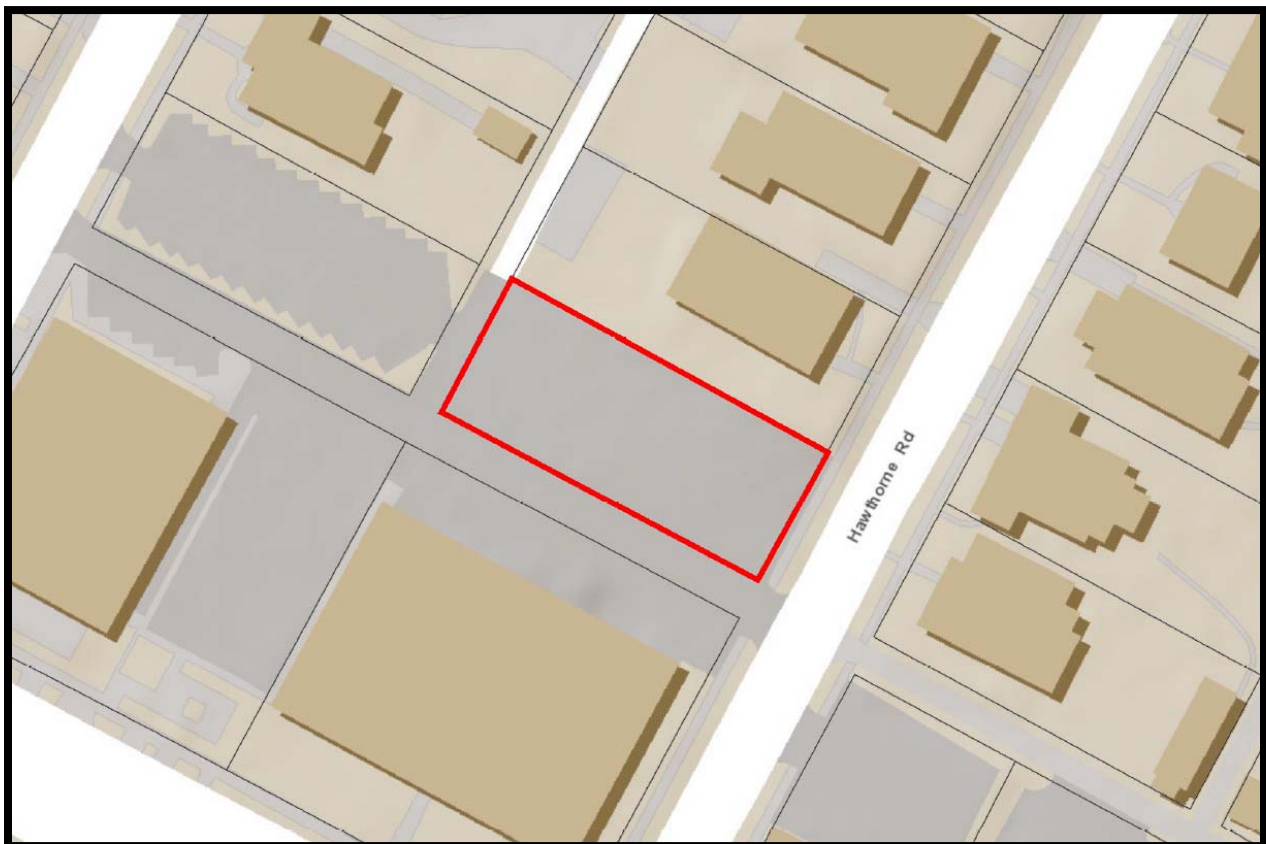
Case File: A-90-17

Property Address: 115 Hawthorne Road

Property Owner: Donna and Kirk Preiss

Project Contact: Adam Byrley

Nature of Case: A request for a variance from Section 7.2.5.C.3. of the Unified Development Ordinance in order to construct a dumpster enclosure utilizing a wooden fence instead of a masonry wall on a .2 acre parcel zoned Residential-6 and Neighborhood Conservation Overlay District located at 115 Hawthorne Road

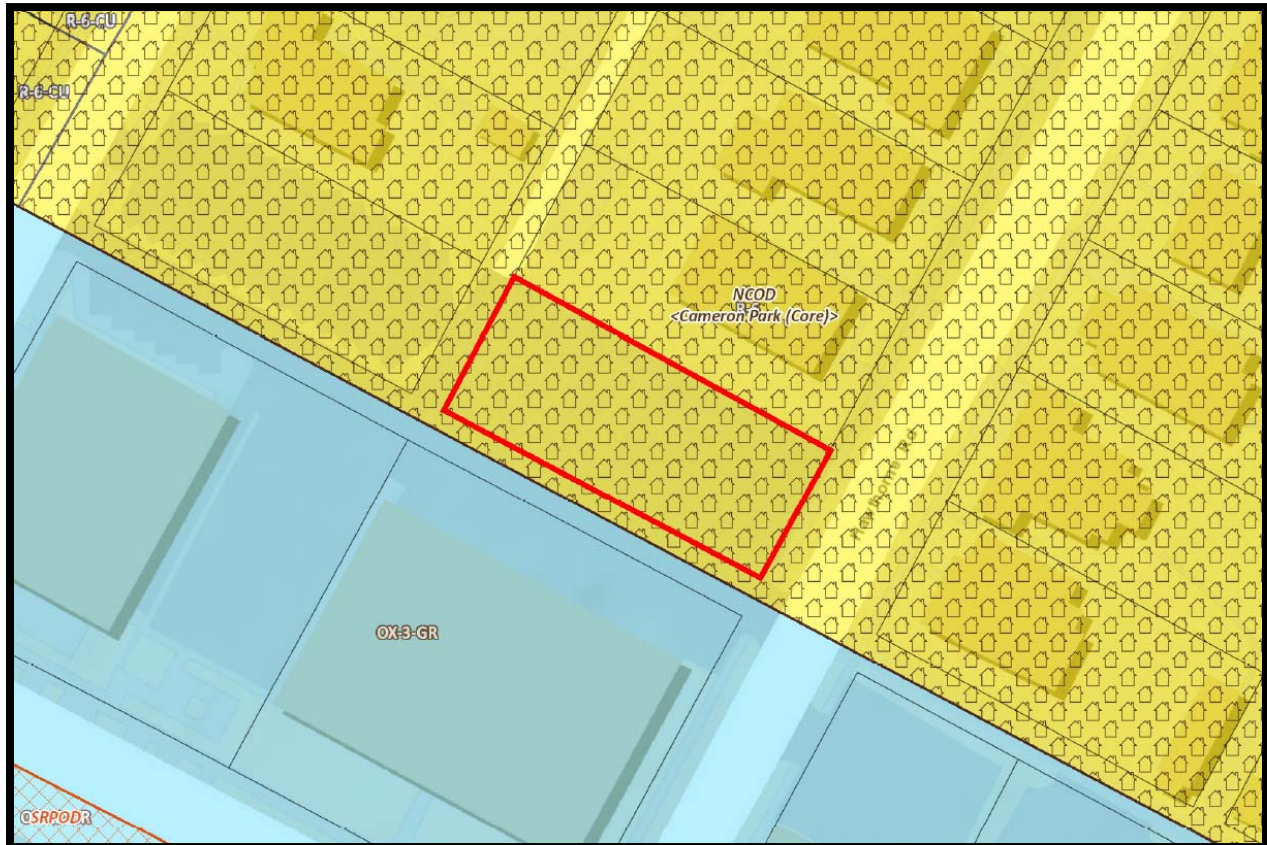


115 Hawthorne Road – Location Map

To BOA: 7-10-17

Staff Coordinator: Eric S. Hodge, AICP

**ZONING
DISTRICTS:** Residential-6 and NCOD



115 Hawthorne Road – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Setback Standards: The subject property is zoned Residential-6

Yard Type	Minimum Setback
Front Yard	10'
Side Street	10'
Side	5'
Sum of Side Setbacks	15'
Rear	20'

Cameron Park Neighborhood

a. Core Area

- i. Maximum lot size: 21,779 square feet.
- ii. Front yard setback: Within 10% of the average front yard setback of houses on the same block face. No portion of any garage or carport shall protrude beyond the primary facade of the principal structure. Covered porches shall be considered part of the primary facade. For corner lots with driveway access from the secondary side, attached garage entrances must be set back at least 10 feet from the secondary side building elevation. A secondary side elevation is the alternative side of a corner lot house that faces a roadway, but does not include a primary entrance to the house.
- iii. Side yard setback: Within 5 feet of the average side yard setback and corner side yard setback of other properties on the block face, but no less than 5 feet.
- iv. Setback for accessory structures: Side and rear yard setbacks for accessory structures, including those greater than 150 square feet shall be a minimum of 3 feet.
- v. Maximum building height: 30 feet with the exception of those lots fronting on Park Drive between Oberlin Road and Forest Road (except the lots fronting the south side of Park Drive, between Oberlin Road and Groveland Avenue), all lots fronting on West Johnson Street and on the south side of Peace Street, and the 3 lots fronting the south side and the 4 lots fronting the north side of Park Drive immediately west of St. Mary's Street (Wake County Registry: DB 08350, PG 1823; DB 02660, PG O-E-; DB 11659, PG 1800; DB 02425, PG 0670; DB 12811, PG 0908; DB 07129, PG 0713; DB 09060, PG 1175), which shall be limited to a maximum building height of 26 feet.

Staff note: TC-5-17, scheduled for Public Hearing on 3-7-17 proposes to increase these heights by 8'.

- vi. Building placement and building entrance: The orientation of the building and entry level of the main entrance to the building shall be located in a manner that is the same as the majority of the buildings on the block face.
- vii. Vehicular surface areas: New driveways onto public streets shall not be allowed for lots adjacent to alleys. Within that portion of the front yard area (as measured perpendicular to the right-of-way), between the principal building and the public street, new vehicular surface area shall not be permitted except where there are no adjacent alleys and when driveways are constructed alongside the house in the shortest practical distance from the right-of-way to the rear of the building. Parking areas and any other vehicular surface area installed prior to the August 3, 2010 shall not be deemed a zoning nonconformity. No vehicular entrance to a garage attached to the principal structure shall face the front yard. Maximum driveway width shall be limited to 12 feet for single driveways and 20 feet for shared driveways.

b. Transition Area B

- i. Maximum building height: 40 feet when located within 75 feet of an adjacent Core Area lot.

Section 7.2.5. Screening

C. Service Areas

1. Trash collection, trash compaction, recycling collection and other similar service areas shall be located to the side or rear of buildings and must be screened from view from adjacent property or public street right-of-way (not including an alley).
2. Service areas that are fully integrated into a building must be screened with a roll down door or other opaque screen.
3. Service areas that are not integrated into a building shall be screened from three sides by a wall at least 6 feet in height and on the fourth side by a solid gate at least 6 feet in height. The gate and wall shall be maintained in good working order and shall remain closed except when trash pick-ups occur. The wall and gate shall be compatible with the principal building in terms of texture, quality, material and color.

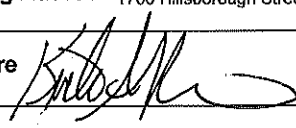
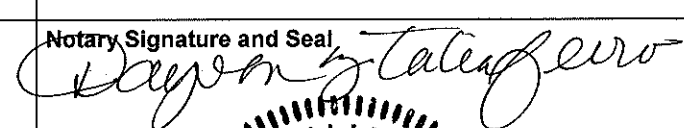
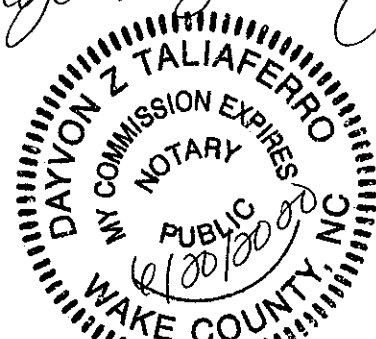
Application for Variance

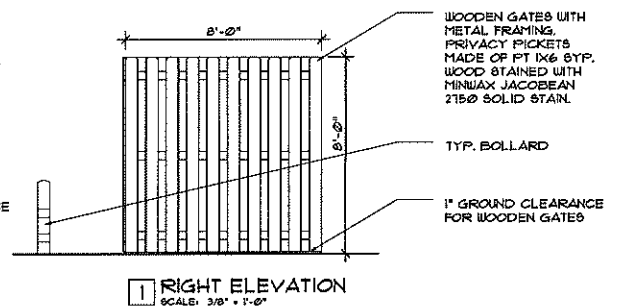
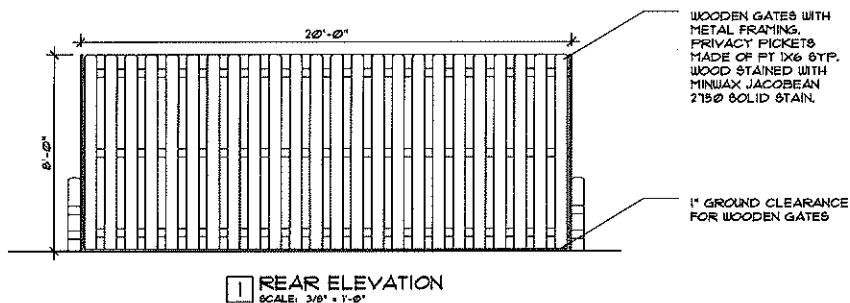
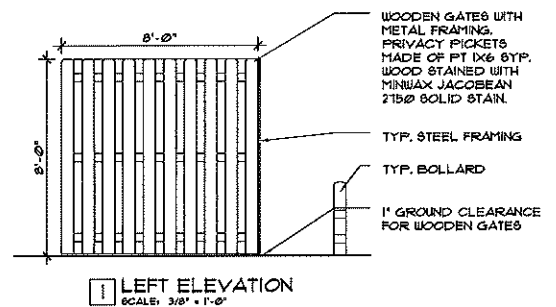
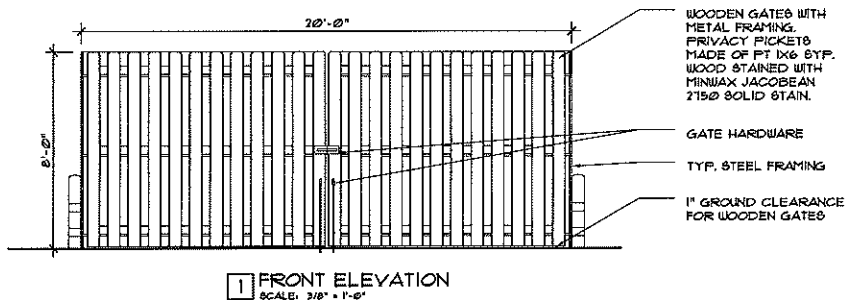


Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

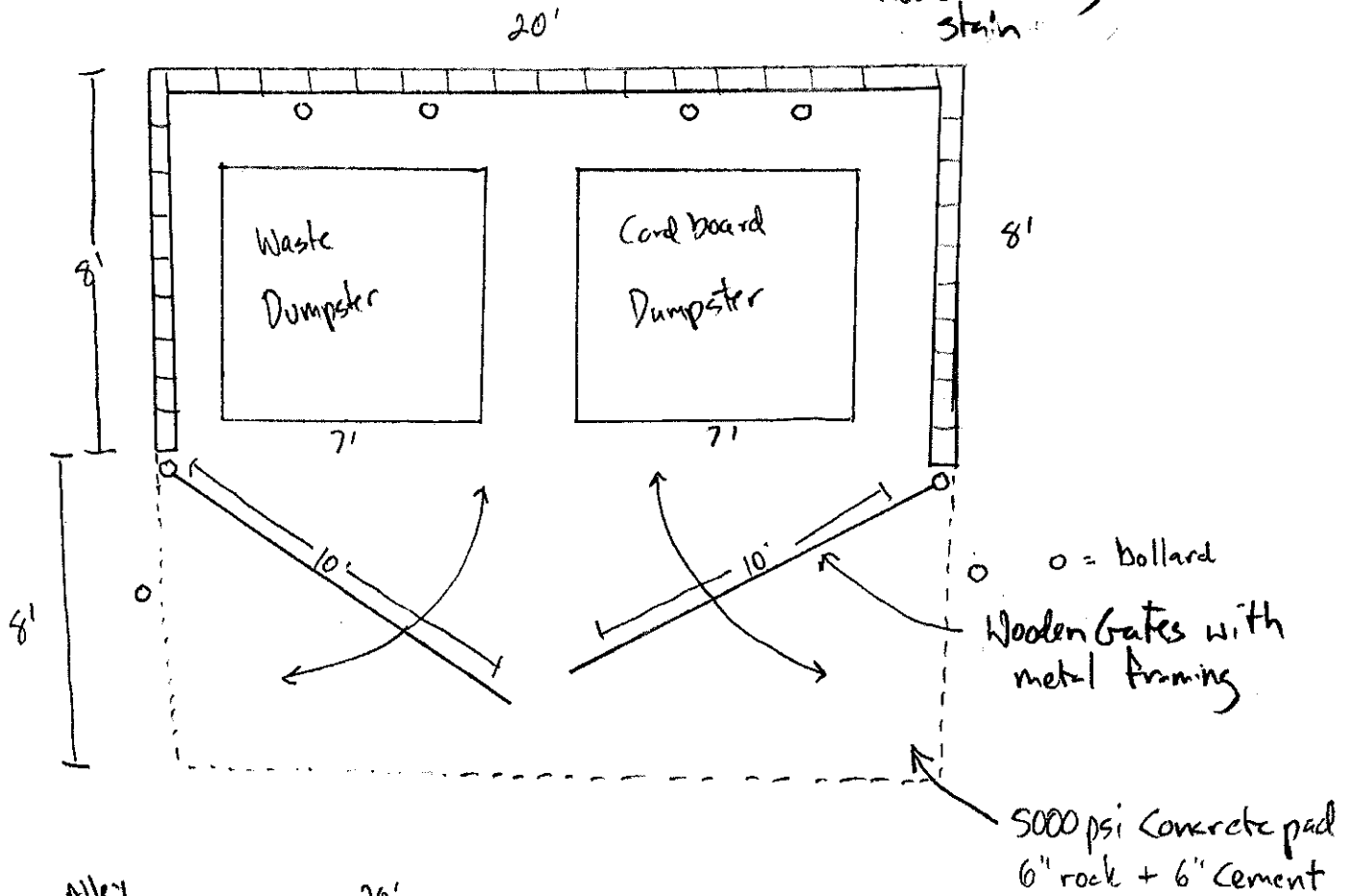
NATURE OF REQUEST	OFFICE USE ONLY
<p>Nature of variance request (if more space is needed, submit addendum on separate sheet): Kirk and Donna Preiss, as owners of 115 Hawthorne Road, request a variance from UDO §7.2.5 to build an enclosure for the dumpsters on the property to be made of wood instead of brick.</p>	<p>Transaction Number <i>A-90-17</i></p>
<p>Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.</p>	

GENERAL INFORMATION		
Property Address 115 Hawthorne Road		Date 6/9/2017
Property PIN 1704019084	Current Zoning R-6	
Nearest Intersection Hawthorne and Hillsborough		Property size (in acres) .20
Property Owner Donna and Kirk Preiss	Phone 919 870 5080	Fax
Owner's Mailing Address 1700 Hillsborough Street, Raleigh, NC 27605	Email donna.preiss@tpco.com	
Project Contact Person Adam Byrley	Phone 9197060683	Fax 9198705026
Contact Person's Mailing Address 1700 Hillsborough Street Raleigh NC 27605	Email adam.byrley@tpco.com	
Property Owner Signature 	Email	
<p>Notary</p> <p>Sworn and subscribed before me this <u>9</u> day of <u>June</u>, 20<u>17</u></p>	<p>Notary Signature and Seal </p> 	

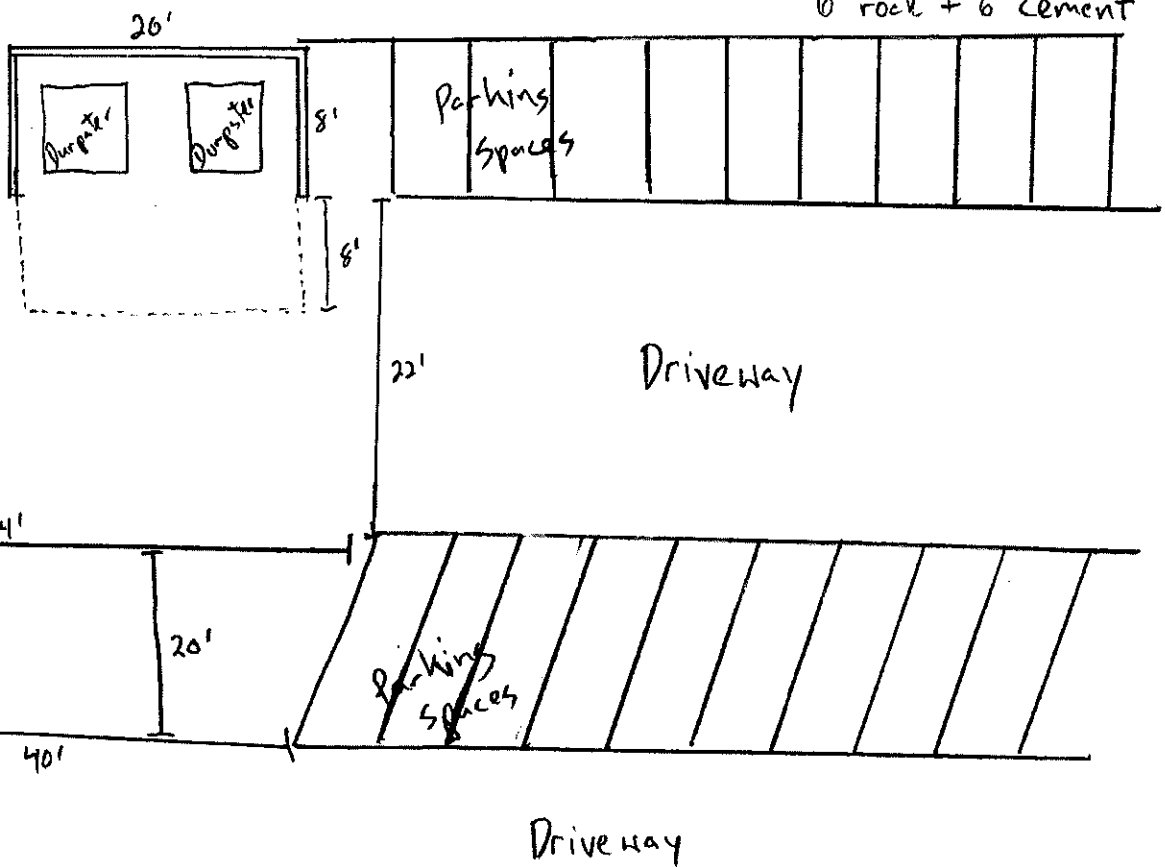


1700 Hillsborough St.
Raleigh, NC 27605

8' Pressure treated
Wooden fencing with
stain

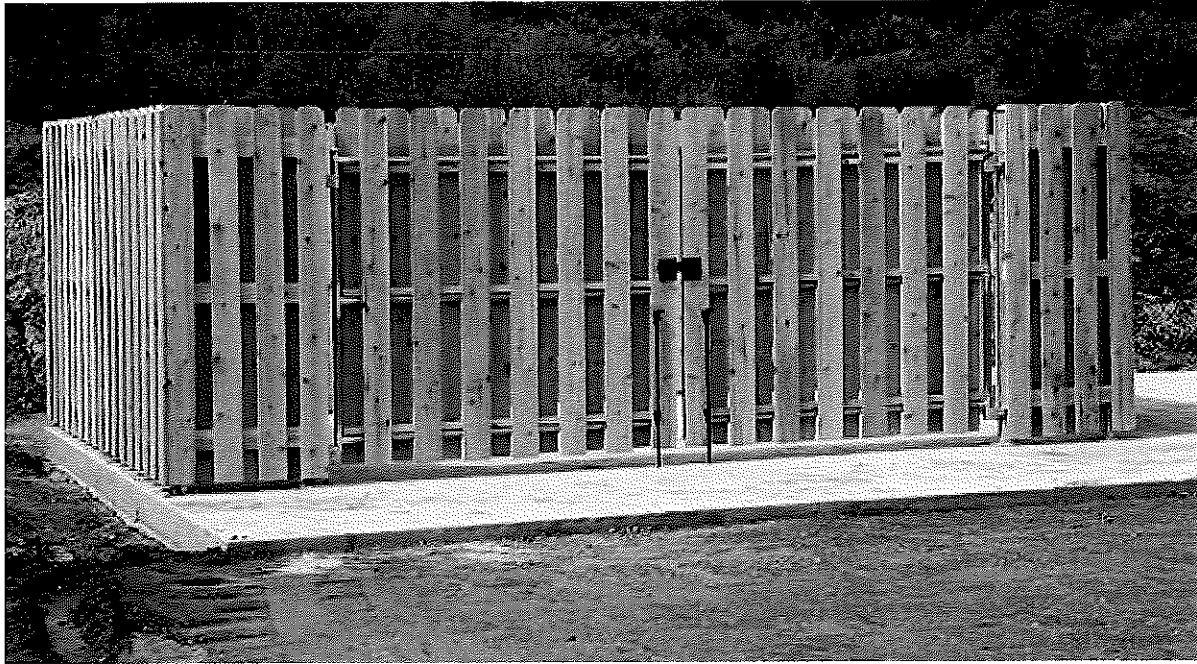


Alley

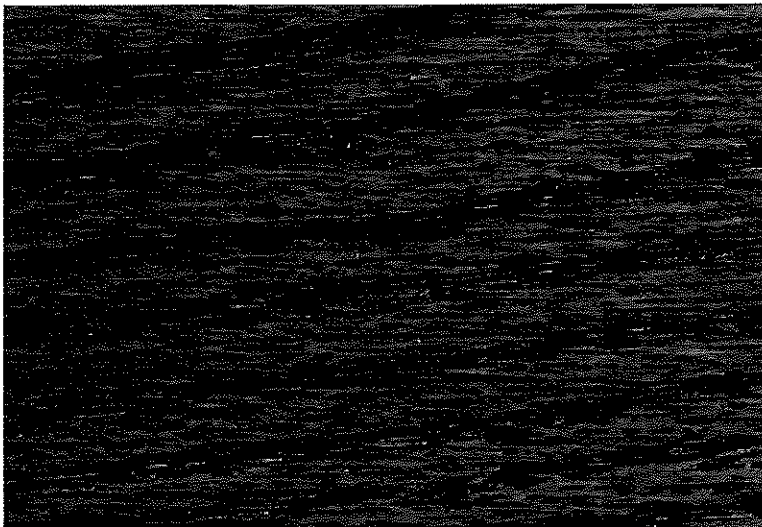


Preiss Dumpster Enclosure

Fence Style: 8' high with privacy pickets made of PT 1x6 SYP



Stained with Minwax Jacobean Color 2750 Solid Stain



1704019084
PREISS, KIRK PREISS, DONNA
1700 HILLSBOROUGH ST
RALEIGH NC 27605-1641

1704009924
PREISS, KIRK PREISS, DONNA
1700 HILLSBOROUGH ST
RALEIGH NC 27605-1641

1704017091
BUSTER BROWN PROPERTIES LLC
PO BOX 2445
RALEIGH NC 27602-2445

1704018187
SCHRADER, MICHAEL JOHN
5862 FARINGDON PL STE 1
RALEIGH NC 27609-4582

1704019202
ROBERTS, SURRY P
120 WOODBURN RD
RALEIGH NC 27605-1617

1704100877
CDCG INC REALTY INVESTMENTS LLC
PO BOX 12698
RALEIGH NC 27605-2698

1704101965
SAGER, ELIZABETH C TRUSTEE
ELIZABETH C SAGER REVOC...
116 HAWTHORNE RD
RALEIGH NC 27605-1633

1704110110
MARTIN, KATHRYN GEORGIA
119 HAWTHORNE RD
RALEIGH NC 27605-1632

1704110134
KLEIN, PHILIP KLEIN, RONNA
125 HAWTHORNE RD
RALEIGH NC 27605-1632

1704111081
MULLIN, ALEXANDER GEORGE
118 HAWTHORNE RD
RALEIGH NC 27605-1633

1704112016
ROSS, SEAN A ROSS, ABBY S
120 HAWTHORNE RD
RALEIGH NC 27605-1633

